

Senate Bill No. 495

Passed the Senate September 11, 2003

Secretary of the Senate

Passed the Assembly September 8, 2003

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 52051 of, and to add Section 52052.1 to, the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

SB 495, Vasconcellos. School accountability: Opportunity to Learn Index.

Existing law establishes the Public School Performance Accountability Program which consists of the Academic Performance Index (API), the Immediate Intervention/Underperforming Schools Program, the High Priority Schools Grant Program for Low Performing Schools, and the High Achieving/Improving Schools Program. The API measures the performance of schools and the academic performance of pupils and consists of a variety of indicators. Existing law establishes the California Quality Education Commission for the purpose of developing, evaluating, validating, and refining a Quality Education Model for prekindergarten through grade 12, inclusive.

This bill would state the intent of the Legislature to establish the Opportunities for Teaching and Learning (OTL) index as part of the Public School Performance Accountability Program to measure the opportunities for teaching and learning as evidenced by access to high-quality learning resources, conditions, and opportunities, based on standards that specify what all schools should have available for instruction and support.

The bill would require the California Quality Education Commission to make recommendations by July 1, 2004, to the Superintendent of Public Instruction regarding the indicators that should comprise the OTL index. The bill would require the index to include the number of fully and properly credentialed teachers employed at the school, the number of classrooms in which teachers are not fully and properly credentialed, the availability of adequate and appropriate instructional materials, the physical condition and maintenance of school facilities, the extent to which pupil population exceeds facility capacity, the availability of counseling and academic advising, and the availability and adequacy of high-quality postsecondary preparatory, vocational



education, and honors courses for pupils in secondary educational grades. The bill would require the commission to determine a method for computing the OTL index and to recommend minimal standards for indicators measured within the OTL index on a school level basis. The bill would provide that it shall only be implemented if sufficient nonstate funds are made available for this purpose.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to establish an Opportunities for Teaching and Learning (OTL) index similar to the Academic Performance Index (API) as part of the Public School Performance Accountability Program. This index shall measure the opportunity for effective teaching and pupil learning in public schools serving pupils in kindergarten or any of grades 1 to 12, inclusive. Opportunities for teaching and learning will be evidenced by pupil access to high-quality learning resources, conditions, and opportunities, based on standards that specify the resources all schools should have available for instruction and support. As with the API, the OTL index should be reported in ways that permit statewide comparison of schools.

SEC. 2. Section 52051 of the Education Code is amended to read:

52051. The Public School Performance Accountability Program is hereby established and shall consist of the following component parts:

- (a) The state Academic Performance Index, to be known as the API.
- (b) The state Opportunities for Teaching and Learning index, to be known as the OTL index.
- (c) The Immediate Intervention/Underperforming Schools Program.
- (d) The Governor's High Achieving/Improving Schools Program.

SEC. 3. Section 52052.1 is added to the Education Code, to read:

52052.1. (a) (1) By July 1, 2004, the California Quality Education Commission, established by Section 64201, shall make recommendations to the Superintendent of Public Instruction



regarding which indicators should comprise the Opportunities for Teaching and Learning (OTL) index, to measure the opportunities for teaching and learning in California public schools.

(2) The OTL index shall consist of a variety of indicators reported to the State Department of Education including, but not limited to:

(A) The number of fully and properly credentialed teachers employed at the school and the number of classrooms in which teachers are not fully and properly credentialed, as defined in subdivision (c).

(B) The availability of adequate and appropriate instructional materials.

(C) The physical condition and maintenance of school facilities, and the extent to which pupil population exceeds the capacity of a facility.

(D) The availability of counseling and academic advising.

(E) The availability and adequacy of high-quality postsecondary preparatory, vocational education, and honors courses for pupils in secondary educational grades.

(3) If the commission determines that accurate data for any of these indicators is not available, it shall report that finding to the Governor and the Legislature by February 1, 2004, and recommend necessary action to implement an accurate reporting system.

(b) The commission shall do both of the following:

(1) Determine a method for computing the OTL index using available data.

(2) Recommend appropriate minimal standards for indicators measured within the OTL index on a school-level basis.

(c) For purposes of this article, the following terms have the following meanings:

(1) “Fully and properly credentialed teacher” means a teacher who holds a preliminary or professional clear credential appropriate to the grade level or subject matter of instruction and, where appropriate, has received specialized training for the instruction of English language learners.

(2) “Appropriate instructional materials” means textbooks and supplemental books, workbooks and other instructional media that have been adopted according to law for the subject matter and



appropriate grade level. “Appropriate instructional materials” includes materials for English language learners.

(3) “Adequate instructional materials” means materials that are sufficient to allow each pupil access to his or her own set of appropriate instructional materials in class and to take home when needed for homework assignments.

(d) This section shall be implemented only if sufficient nonstate funds are made available for this purpose.



Approved _____, 2003

Governor

